

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

UNITED STATES OF AMERICA,	:	CASE NO. 4:17 CR 00258
	:	
Plaintiff,	:	
	:	JUDGE DAN AARON POLSTER
vs.	:	
	:	
SHAWN RAY SMITH,	:	<u>DEFENDANT'S MOTION TO SET</u>
	:	<u>HEARING ON REQUEST FOR NEW</u>
Defendant.	:	<u>COUNSEL</u>
	:	
	:	

The Defendant, Shawn Ray Smith, through counsel, respectfully moves this Honorable Court to set a hearing on Mr. Smith's request for new counsel. Mr. Smith has advised counsel that he mailed a letter to the Court this morning requesting new counsel, and has requested a hearing on this matter. Given (1) the nature of the charges and penalties involved, (2) the August 26th trial date which will require two (2) out-of-town experts for the defense, and (3) that there have been halting attempts to re-start plea negotiations now put again on hold by this request, a hearing should be set in anticipation of receiving this request. Defense is available June 5, 2019, between 10 a.m. and 11:30 a.m., but there has been no response from the government as of the time of this filing.

Wherefore, based on the foregoing, Mr. Jones respectfully requests an Order from this Court continuing the final pretrial, change of plea, trial and all related deadlines for 60 days.

Respectfully submitted,

STEPHEN C. NEWMAN
Federal Public Defender
Ohio Bar: 0051928

/s/Darin Thompson _____
DARIN THOMPSON
Assistant Federal Public Defender
Ohio Bar: 0067093
1660 West Second Street, Suite 750
Cleveland, Ohio 44113
(216) 522-4856 Fax: (216) 522-4321
e-mail address: darin_thompson@fd.org

CERTIFICATE OF SERVICE

I hereby certify that on May 24, 2019, a copy of the foregoing Motion was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served by regular U.S. Mail. Parties may access this filing through the Court's system.

*/s/Darin Thompson*_____
DARIN THOMPSON
Assistant Federal Public Defender